

PLIGHT OF THE POLICYHOLDER.

Tied Hand and Foot by Ropes
Harriman Has Wound
Around Him.

EQUITABLE QUIZ A FARCE.

It Isn't Touching the Things the
Public Wants to Know.

Who Run the Society's Chatter, the Equitable Trust Company?—And the Mercantile Trust?—Does Hyde Draw \$37,800 a Year Salary From Them?—Are The Directors Hyde Dummies, Too?—Maybe Chouteau Could Find Out—What Was the Rake-Off on Security Loans and Who Got It?—What Did Dewey Get \$25,000 a Year For?—Everybody Knows the Equitable Is Solvent—But Can the Pilferers Be Punished?—Hendricks Not Pleased by Hyde's Evasions.

A SUN reporter met an Equitable policyholder yesterday and found him in a very discouraged frame of mind. "You see," he said, "we are tied hand and foot, as THE SUN has already expressed it. The law won't permit us to apply for a receiver, and we cannot ask for an accounting. As the law stands, the directors of the State are the only ones who can institute a suit in such conditions, and in my opinion we might as well apply to Harriman himself for the relief that we need. We poor policyholders are just like a lot of sheep, as THE SUN said that we were, only with this difference, that sheep are seldom without some sort of a leader, whereas we have none. It is true we have a policyholders' committee provided for us by Mr. Harriman and presided over by John D. Crimmins. If we could have a few more leaders like Mr. Crimmins we would no longer be sheep, but an entirely different kind of an animal, and we would rush down a steep place and plunge into the sea and find some sort of an end to our troubles. No, I am not possessed of either a devil or a Crimmins.

"I certainly thought that, with the class of men whose names are paraded as trustees of the Equitable, I should find a different outcome to their deliberations. I never could have believed that they would confine their duty to abusing the men who let the cat out of the bag, and endeavoring to punish the officials of the company for permitting the truth to be known. Apparently the only function of a trustee of a life insurance company is to conceal the crimes which are perpetrated under his nose and punish as heavily as possible anybody who discloses the criminality of the management which he, the trustee, is elected and appointed to guarantee. It is a pitiable state of things that the business of life insurance, upon which men like myself have habitually reposed the most implicit faith, should lapse into such evil conditions. Why doesn't THE SUN disclose to the public some more of the actual details of the Equitable's rottenness? We policyholders can't help thinking that THE SUN knows vastly more than it has disclosed. There can be no mistake about it. The mastery tone of THE SUN's articles, written with that assurance which only specific knowledge can impart, is all convincing on this point.

"We would like to know something about the Equitable Trust Company, which is the charter of the Equitable Life. Who are its officers? Who constitute the board of directors? Is it true that Mr. Hyde draws a salary from the Equitable Trust Company of \$25,000 a year in addition to his salary of \$100,000 a year from the Equitable Life? "How about the Mercantile Trust Company? I hear that Mr. Hyde's salary there is \$12,000 a year, and I am told, and believe, that the directors of both these trust companies are qualified for their directorship in just the same manner that so many directors of the Equitable Life are qualified. That is, they sit by virtue of a few shares of stock which they do not own, but which are transferred to them by way of a fictitious, and, as I think, a fraudulent pretense at qualification, which in my judgment no court would approve of or sustain. It is true these are trivial matters, and in the present emergency of the policyholders they don't amount to much. The main issue now is that Harriman has grabbed our property and that we have no legal way of ousting him.

"Perhaps it is true that Mr. Chouteau, if he were here, might be able to devise some method of enforcing our rights. I don't suppose that he could do anything with a Legislature in which Nixon and his two colleagues are compelled by Odell's orders to do precisely as Mr. Harriman directs they shall do. I am not sure, however, but that in the near future Mr. Chouteau, or somebody like him, will develop the Equitable question on the broad lines of the individual responsibility of the trustees. We all know now that the trustees are morally responsible for the vast sums of money which have been pilfered from the Equitable through the practices of its directors, in their relation to the subsidiary corporations of the Equitable, and their relations to the two trust companies, the Mercantile and the Equitable. That's it. They are morally responsible; but it is true that life insurance corporations so differ from other corporations that it is impossible to hold the trustees responsible for fraudulency and peculations in which they have personally participated, or which they have made possible by their neglect and supineness?

"It seems to me that Mr. Chouteau is, of all the men whose character I am acquainted with, the very man to deal with and answer these questions. Of course, the Equitable is solvent. No one in his senses presumes for a moment to doubt it, but it is amusing to see the heroic attitude in which the State Superintendent of Insurance, Mr. Hendricks, has begun his examination. Nothing can

ENGLAND'S QUEEN ON WAR.

Views of Alexandra as Quoted by a French Newspaper.

Special Cable Despatch to THE SUN.
PARIS, April 7.—The Gaulois publishes a despatch from a representative of the paper who says that he had the honor of being received by Queen Alexandra yesterday on board the royal yacht at Marseilles. The writer says that the Queen refused to speak upon political matters, and he gives the following report of the Queen's conversation:

"Queens must do all in their power to prepare their children for the exalted positions which they will be called upon to occupy. It should be their task, however difficult it may seem, to comfort the afflicted and unhappy. That is the best and sweetest part they can play, and for myself I have no wish to play any other.

"In the troublous times in which we are living it is impossible not to be affected by the dissatisfaction of the masses, which is in many ways natural enough. Believe me, if the social problem ever can be solved, it will be by reason of the goodness of women, by their love and common reverence for the right, for justice and charity. Your talk, as men, is of war, but we women speak always of peace—peace in every nation, peace between all nations.

"I was educated in the school of a king who was before all things just, and I have tried, like him, always to preach love and charity. I have always mistrusted warlike preparations, of which nations seem never to tire. Some day this accumulated material of soldiers and guns will burst into flames in a frightful war that will throw humanity into mourning on earth and grieve our universal Father in heaven."

DECLINE IN MENINGITIS.

Nothing Like as Serious a Danger as Pneumonia, Says Dr. Biggs.

The meningitis commission met at the Board of Health Building, Fifty-fifth street and Sixth avenue, last night. Dr. Hermann Biggs, consulting physician to the commission, said that all the definite information obtained had already been given to the public. It was too soon for the commission to have formed any definite ideas about the disease.

"While there were 131 deaths from the disease last week," said Dr. Biggs, "that is a very insignificant number compared to the number of people in New York. Compared to pneumonia the number of deaths from meningitis is very small. Last week there were 244 deaths from pneumonia and 1,200 cases. There were 216 cases of meningitis altogether last week. For six days this week there are ninety-six deaths and the number for the week will probably be about 110—a decrease of twenty-one."

Dr. Guilfoxy, registrar of vital statistics for the Health Department, said that the sanitary census is now being taken. Fifteen physicians began the work yesterday. Four hundred doctors in all will be employed.

HE WANTED TO DROWN.

Man Who Says He's Frank C. Geller Jumps From Boat—Tries to Kill Himself.

A man wearing a frock coat and silk hat and carrying a cane boarded the Erie ferryboat Ridgewood at Twenty-third street yesterday afternoon. His excited manner was noticed by other passengers. When the boat left the slip he walked forward toward the cabin. A few minutes later he climbed the ladder which the crew use to get to the cabin roof. From the roof he threw his cane overboard, then his hat and then himself.

Capt. Joe Arader saw the man getting ready to go overboard and stopped the boat. The crew threw lines to the man in the water, but he refused to grasp them. He turned his head away and called out that he wanted to drown. The tug tugboat toward the man, and one of the crew got a hook into his coat. Then he was hauled aboard the tug, and taken to the New York Hospital. Before he was sent to St. Vincent's Hospital he told the police that he was Frank C. Geller, 54 years old, of 1708 Amsterdam street, and had been employed by his brother, Ferdinand, at 2548 Eighth avenue, who lives at 212 West 131st street.

SUIT AGAINST JOSEPH SMITH.

President of Mormon Church Accused of Diverting the Church Funds.

SALT LAKE, April 7.—Don Carlos W. Musser and Charles A. Smurthwaite, two high priests of the Mormon Church, to-day filed in the Third District Court of the State a petition asking for a restraining order to prevent Joseph F. Smith, president of the church, from diverting the funds of the church for commercial purposes. In their petition the complainants allege that Smith, as trustee in trust for the church, receives more than \$1,000,000 annually in tithes and offerings from members, and that he is expending the same for church purposes exclusively, he diverts at least \$500,000 annually for speculation and investment purposes.

Musser was a member of the Utah battery in the Philippines and conducted a newspaper in Manila after the war ended. Smurthwaite was recently indicted, but took an appeal, so that he is still a member of the church. He will undoubtedly lose his appeal as under the church rules of the church he cannot be again considered on its merits.

HOW TO MAKE AUTO ARRESTS.

McAdoo Tells Bike Cops Not to Bully and Not to Argue.

Commissioner McAdoo has grown tired of the daily calls of automobilists with kicks about arrests. He says he is going to stop receiving the kicks in person and has issued a series of "Don'ts" for bike cops. These are embodied in a general order, and are as follows:

Before making an arrest be sure that the machine or vehicle is going at a rate faster than that allowed by law and that you should stop on your signal. This gives you the right to stop the machine. You must not stop people just to show this power nor to spite some one or to be unnecessarily officious. In making auto arrests you must catch up with the over-speeding vehicle make an arrest. Don't stop the machine until you have it in control or any of the occupants. Under no circumstances lose your temper. Once you make the arrest take the machine to the nearest station house.

When you don't believe you have the proof and are not thoroughly convinced that the machine or vehicle was over-speeding, do not stop it. If you are not sure the public safety is imperiled, you should check the machine or vehicle and warn those occupants. The mere fact that the occupants dispute your assertions as to the speed is of itself no occasion for a wordy debate or making an arrest, and offenses of this kind will be noticed by the department.

SUIT TO KILL MUTUALIZATION.

F. B. Lord Takes the Equitable Fight into Court.

Gets an Order to Show Cause Why the Society Shall Not Be Enjoined From Accepting Proxy Votes From Policyholders—Holds 36 Shares of Stock.

Edward M. Shepard appeared yesterday afternoon before Supreme Court Justice Maddox in Brooklyn and obtained an order restraining this morning directing the Equitable Life Assurance Society and its board of directors and officers to show cause why they should not be permanently enjoined from carrying into effect the proposed plan of mutualization by which it would permit policyholders to vote by proxy at the elections of directors of the society or from carrying into effect any other proposed plan which might be submitted to and approved by at least three-fifths of the stockholders of the company.

The order was obtained at the instance of Franklin B. Lord, who is the owner of thirty-six shares of the capital stock of the Equitable society, which he inherited from his father and other members of his family.

In his complaint, drawn by Henry DeForest Baldwin, Mr. Lord sets forth that he is a resident of Nassau county, this State. He recites the story of the organization and incorporation of the Equitable society and details the privileges, powers and franchises granted to it by the original charter in 1859. He points out that the charter provided that the board of directors might, after giving notice at two meetings, by a three-fourths vote of all the directors, provide that each holder of a life policy for not less than \$5,000 cast one vote at the annual election of directors if such vote be given in person and not by proxy.

Mr. Lord says that there are now outstanding upward of 500,000 policies, the majority of which are for less than \$5,000, and that there is now on hand a surplus exceeding \$80,000,000. He then recites that it was provided under the charter that this surplus should be divided among the policyholders in such equitable shares as the directors should consider the policyholders entitled to. In no case has the society issued policies entitling the holders to any definite share of the surplus.

No general law of this State, Mr. Lord alleges, provides that in the election of the boards of directors of such a corporation as the Equitable the holders of policies shall be entitled to vote. He then recites the resolutions adopted by the directors on Feb. 16 and on March 21. At the latter meeting the committee on mutualization recommended the plan allowing all policyholders to vote after two years "in person or by proxy."

In this plan there is no recommendation, says Mr. Lord, for the indemnification of stockholders, nor have there been held the two stated meetings of the board which are necessary under the charter before any plan of mutualization may be adopted.

The complaint goes on to say: "And this plaintiff further shows that the cancellation of the proposed amended charter, the adoption of such proposed amended charter would be in violation of the property and other rights of this plaintiff held by him under the laws and Constitution of the State of New York and under the Constitution of the United States, and would be in violation of the contract existing between this plaintiff and the defendant, that such proposed charter is not justified or valid under or by virtue of the insurance law or of any other law of the State of New York."

"That, if it should be claimed that by virtue of any law enacted by the State of New York since the original incorporation of the defendant in the year 1859, the adoption of such proposed amended charter or any like charter by the defendant is justified or authorized, then such law has been enacted in violation of Section 10 of Article 1 of the Constitution of the United States, providing that no State shall pass any law impairing the obligation of contracts, and would violate provisions of the fourteenth amendment of the Constitution of the United States, in that it would abridge the privileges or immunities of the plaintiff, and deprive the plaintiff of property without due process of law."

"And the plaintiff further shows that no meeting of the holders of the stock of the defendant has been called upon to consider the said proposed amended charter; that the said proposed amended charter has never been submitted to this plaintiff or notice thereof given to the stockholders of the defendant."

"And this plaintiff further shows that any amendment or alteration of the original charter of the defendant except as therein provided . . . would be in violation of the rights and interests of the plaintiff, and that the adoption by the defendant of such proposed amended charter would inflict upon this plaintiff irreparable damage, the amount of which could not be ascertained, and for which remedy at law, and that this plaintiff is remediless except and unless this court shall, by virtue of its jurisdiction in equity, intervene for the protection of this plaintiff."

The plaintiff demands that the defendant, its president, vice-president, secretaries and all its officers, directors and employees shall be enjoined from executing, adopting, presenting to the Superintendent of Insurance or filing the proposed amended charter or any other amended charter and from doing any other act whereby the plaintiff's rights shall be affected or impaired.

A lawyer conversant with Mr. Lord's attitude in the case said yesterday that the real gist of the situation was that if the right to vote by proxy is given to policyholders it would simply mean that the executive officers of the company, who are in control of the agents scattered throughout the world, would also be in control of the proxies.

Mr. Lord objects, it was said, to any alteration of the charter to his disadvantage as a stockholder, and objects more particularly to the present proposed plan on the ground that it would in no way benefit the policyholders. This lawyer said further that James W. Alexander, president of the company, is understood to admit that out of the \$80,000,000 surplus there is at least \$10,000,000 which is not and never was considered part of the divisible profits. Mr. Lord would like to know who is entitled to any share in this \$10,000,000 if the stockholders are not and the policyholders are not.

WOMEN'S ATHLETIC CLUB PLANS.

Building to Cost \$150,000 to Be Erected in Madison Avenue.

McKim, Mead & White, architects, have filed plans for a six story and basement clubhouse to be erected at 120, 122 and 124 Madison avenue for the Colony Club, the new athletic club for women, of which Mrs. J. Borden Harriman is president and Mrs. John Jacob Astor is an officer.

The building will be in the colonial style, with a mansard roof and a balcony projecting over the front. The front will be of ornamental brick, with marble at the first story. The main floor will contain the club parlor and tea room, the reading and lounging rooms and a spacious veranda. The second story will be fitted as an assembly chamber, with an oval shaped gymnasium in the rear, each having a mezzanine gallery. The fourth floor will contain sleeping chambers and the fifth the club restaurant and private dining room. There will be a roof garden also.

The building is to have a frontage of 74 feet and a depth of 52 feet, exclusive of a rear extension, which will be 63 feet wide and 38 feet deep.

The cost of the edifice is estimated at \$150,000.

FENCE TORN DOWN AT NIGHT.

Suspicion at Belmont That It Was the Work of Union Men.

ELMONT, L. I., April 7.—Fifteen hundred feet of ornamental iron fence about the new Long Island Railroad depot, which is to be used by the patrons of the Belmont Park racetrack when it is completed, was knocked down and much of it ruined last night. The authorities of the county and of the racetrack believe it was the work of union ironworkers.

The fence was put up within the last few months by non-union men. It is said that threats had been made that the fence would be put up by unionists or it would not stand. Sheriff Gildersleeve is inclined to believe that men were brought from Manhattan or Brooklyn to Jamaica and then driven over to do the wrecking.

There is evidence that at various places near here last evening strangers were seen. In some cases these men are said to have had heavy hammers or mauls wrapped in paper.

SCHOOL GIRL KILLS HERSELF.

An Alumnus Had Forced Her to Abandon Her Studies.

Eva Lake, 16 years of age, shot herself at the home of her parents, 7 Grand avenue, Corona, L. I., yesterday with her father's pistol, and was found dead a little later.

She was a member of the class of the Corona High School soon to graduate, but was troubled with a form of epilepsy and forced to leave school. This and the heavy mourning for social pleasures made her very despondent.

INVESTIGATE SWIFT & CO.

Federal Grand Jury in Chicago Questions Witnesses About Firm's Business.

CHICAGO, April 7.—Affairs of Swift & Co., second largest of the stock yards packing concerns, were the subject of rigid inquiry by the Federal Grand Jury to-day, and it is asserted that witnesses were questioned concerning the alleged existence of secret agreements on prices between Swift & Co. and other packing concerns and also about railroad rebates. At 5 o'clock the jury adjourned until Monday morning.

Mr. C. Baker, auditor of the Boston Elevated Railroad and former private secretary to Edward C. Swift, vice-president of Swift & Co., who makes his headquarters in New York, was in the witness box for three and a half hours to-day.

ELEVATED STILL LIABLE.

For Damages to Property—Plan of Twenty Years' Occupation Overruled.

The Appellate Division affirmed yesterday the decision of Supreme Court Justice Bischoff holding that John H. Hindley was entitled to damages from the Manhattan Elevated Railroad company because of the erection of tracks on his property at 819 Sixth avenue. The Hindley case was the first one in which the railroad attempted to put forward the defence that it has now a right, as user for twenty years, to maintain its tracks in front of the property without paying damages. About a thousand other cases are said to depend on the result in this one.

Justice Hatch, writing a unanimous opinion, says that the railroad company's contention of prescriptive right through usage cannot be maintained, since it is well settled that private rights are invaded by the company on its first occupancy, and this invasion cannot be held to have ceased or lapsed through continued occupancy.

WOULD RETALIATE ON GERMANY.

Justice Van Brunt Recents Treatment of American Alijants in Her Courts.

In dissenting from a decision of the Appellate Division on the question whether subpoenas should issue directing Morton B. Smith and Leonard Joseph to appear for examination here in connection with a suit now pending in Germany, Presiding Justice Van Brunt wrote this opinion yesterday:

As suitors in this country are not permitted to have commissions executed in Germany except under the most onerous terms and conditions, it seems to me that until the ordinary courtesies of civilized nations are extended to our courts by the German authorities such applications as this should be denied.

The action in Germany is for a mercantile accounting, Heinrich Kassel and Grastrock-Speijer, Leopold Jacob & Co. are the defendants, and Adolf Bernstein is plaintiff.

JURY MUSTN'T GIVE DAMAGES.

Appellate Ruling in a Widow's Suit—Three Jurors Thought Otherwise.

A \$10,000 verdict obtained in the Supreme Court some time ago by Mrs. Amelia Meinrenken for the death of her husband against the New York Central Railroad company was reversed yesterday by the Appellate Division, though it was the third time that a jury had decided that she was entitled to damages. The first verdict was for \$7,500, the second for \$25,000. Both were reversed.

The Appellate Division in its latest opinion declares that as George Meinrenken was, in its view, guilty of contributory negligence the jury had no right to award damages. The court adds that no matter how many times the process is repeated the verdict will not be allowed to stand as long as the Justices are prepared to do their duty.

Meinrenken was killed by a train while he was crossing the tracks at 134th street several years ago.

Insist upon Having Bussert's Vanilla—Adv.

WHOGOT ROTHSCHILD PAPERS?

THEY WENT BACK, GRUBER SAYS, TO PRISON SUIT. COLLINS.

They Were Taken From Conlon's Cell and Formed Part of the Rothschild Confession—Some Sing Sing Officials May Lose Their Jobs—Grand Jury Busy.

Something of the story that the Grand Jury has been hearing of how confessions made by David Rothschild, wrecked of the Federal Bank and father of the Globe Security Company, reached Abe Gruber, Republican leader of the Twenty-first Assembly district, came out yesterday. Gruber says that Rothschild is wrongfully trying to implicate Armitage Mathews, secretary of the Republican county committee, in order to get out of prison himself. Gruber is Mathews's counsel.

Around the District Attorney's office, however, there is a feeling that before the Grand Jury gets through with its investigation certain Republican politicians and State officials will find themselves in trouble. It is understood that as a result of District Attorney Jerome's trip to Albany on Wednesday, when he saw Gov. Higgins, there may be a few vacant places in the staff of Sing Sing Prison if the statements made by Rothschild are verified. Also, there may be some indictments.

Piecing together the testimony the Grand Jury heard yesterday and on Thursday, it seems that about the middle of February Assistant District Attorney Kresel made three trips to Sing Sing Prison to see Rothschild. Each time he saw Rothschild and at each interview a keeper was present. Then Rothschild began to write out his confession. He got a hint, it is understood, that the prison officials had an idea of what he was doing. Rothschild became frightened and turned over what he had written to Martin Conlon, a lawyer, who is serving a term for larceny.

One day prison officials made a visit to Rothschild's cell and searched it. Apparently they didn't find what they wanted. Then they went to Conlon's cell and were more successful. They turned up the confession made by Rothschild. According to the prison regulations the confession should have been turned over to Warden Johnson, and it was. Mr. Johnson sent it on by special messenger to his superior, State Superintendent of Prisons Collins, who lives in Troy. That is the home town of Frank S. Black, a member of Gruber's law firm. When Mr. Black was Governor he appointed Mr. Collins State Superintendent of Prisons.

It is understood that Mr. Black saw Rothschild's confession in Troy. Whether he did or not, it was forwarded by special messenger to Mr. Gruber. Then Rothschild was brought down from Sing Sing. After being imprisoned for two days by Mr. Kresel in the District Attorney's office, a long statement was prepared and sworn to by Rothschild. That was late on Tuesday night. The following day Mr. Jerome and Mr. Kresel hustled up to Albany. They saw the Governor and had a long confab, during which the statements made by Rothschild were gone over at length.

Mr. Jerome's interview with the Governor was very satisfactory, it is said. At its close Mr. Jerome telephoned to his agents to serve subpoenas at once on Mr. Collins, Warden Johnson of Sing Sing, Head Keeper Connaughton, Supt. Powers of the industrial department, or workshops, State Detective Jackson and other prison officials. At the same time Abe Gruber was served with a subpoena in this city.

That night there was a conference at the Hotel Manhattan in this city. The subpoenas were not issued until late in the afternoon. But strangely enough several persons who had been summoned by the Grand Jury found it convenient to gather that night at the Hotel Manhattan. They included Gruber, Collins, Powers and Johnson. Ex-Gov. Black lives at the hotel, and of course it wasn't strange that he should have a chat with his law partner, a man from his home town, and maybe some view of the total eclipse of the sun on Aug. 30.

At some time during the conversation Gruber handed over to Warden Johnson a batch of papers. Gruber said yesterday that they were papers (parts of Rothschild's confession) which Supt. Collins had asked him to return. The next day the Grand Jury asked to see the papers and Warden Johnson handed them over. Mr. Jerome now has them. Gruber had other papers which he didn't give to Warden Johnson. He said yesterday that they consisted of six statements in Rothschild's handwriting. Evidently the Grand Jury would like to see them too. Yesterday Gruber was subpoenaed to appear before the Grand Jury on Monday. This time Gruber confesses that he was served with a subpoena duces tecum, calling for the Rothschild statements.

Mr. Gruber was asked yesterday about the conference. He said: "Oh, I just dropped in there to see the Governor (Mr. Black), as I often do, but he wasn't there. He came in as we were leaving."

"How about the others named? Were they there?" "Why, yes. They had been subpoenaed, and they came to the city. It wasn't a prearranged meeting, he said. The papers he turned over to Johnson were those he had received about Rothschild's matter by special delivery. "I've got a half a dozen statements from Rothschild in his own handwriting which I kept, but Jerome won't get them."

"What are you going to do with them?" "Give them to the Grand Jury," said Gruber positively. [It will be a novel proceeding for the Grand Jury to hide anything from the District Attorney.] For two hours yesterday morning the Grand Jury listened to testimony in the investigation. Mr. Jerome and Mr. Rand examined the witnesses. Conlon was questioned at great length. Other witnesses were the following: Sing Sing officials: Head Keeper Connaughton, Supt. Powers, Warden Johnson and Secretary Reynolds of the prison.

Rothschild will not be examined until Monday. It is said that he is not over-anxious to testify. Conlon, according to reports, felt the same way, and it is not known that he was a willing witness. Armitage Mathews said yesterday that he had never seen Rothschild until the Bankers Security Company's lawyers came to a \$300,000 bond for Rothschild when he was made temporary receiver of the Weissel estate. Mr. Mathews was counsel for the security company. It is said that the security company first held out for joint control of the estate with Rothschild, but finally compromised in an agreement by which the company got joint control with Rothschild over certain securities.

After all, UNBURNED, the Scotch that made the highest blazes. It is the best—Advt.

Audubon's Birds. Original magnificent folio edition, mounted, colored plates. \$12.50. Bookeller, 30 New York Ave.

JAP WARSHIPS SIGHTED.

Report That They Are Patroling the Straits of the China Seas.

Special Cable Despatches to THE SUN.
LONDON, April 8.—A despatch to the Express from Batavia, Java, says that Chinese junka report that Japanese warships are patrolling all the straits leading to the China seas. They steam without lights at night. There is much excitement everywhere over the prospects of a naval battle near Java, but naval officers believe that the Japanese will allow the Russians to pass through the straits unmolested and engage them afterward.

JIBUTI, French Somaliland, April 7.—Vice-Admiral Niebogoff's division of Admiral Rojstevsky's fleet has sailed from this port. It is surmised that Admiral Rojstevsky is awaiting the arrival of this division at some island in the Indian Ocean.

WOODBURY KANES MARRY AGAIN.

In Spite of the Fact That They Were Wed on March 27 at Aiken.

AUGUSTA, Ga., April 7.—Capt. Woodbury Kane and Sallie H. Elliot of New York, R. I., came to Augusta to-day from Aiken, S. C., and were married by a justice of the peace.

Mrs. Kane is the divorced wife of Duncan Elliot. She was married to Capt. Kane on Monday, March 27, in St. Thomas's Church at Aiken, S. C., in the presence of a large number of persons.

South Carolina has no divorce laws. This fact caused the Kanes to fear that the validity of the marriage at Aiken might be questioned, so they decided to have another ceremony performed outside of the State.

WORE HIS MOTHER'S JEWELS.

\$35,000 Worth Adorned Yale Student Who Took Woman's Part.

Carnegie Lyceum was filled last night for the performance of Pinero's play, "The Magistrate," by the Yale Dramatic Association. The women were attired in pretty and gay spring costumes and were mostly friends or relatives of Yale students.

The splendid costumes and jewels worn by Buell Hollister, a senior, as Agatha Posket caused quite a stir in the audience. The jewels, worth \$35,000, it was said, belong to Mrs. Henry H. Hollister, mother of the young man.

MR. ROCKEFELLER HAS FUN.

Digs Sand With His Grandchildren on the Beach at Point Pleasant.

LAKEWOOD, N. J., April 7.—John D. Rockefeller took his grandchildren, Fowler McCormick, 6 years old, and Muriel, 3 years old, over to Point Pleasant in his bathing machine for a romp in the sand on Tuesday afternoon and had a good time. He dug sand with the children and helped them build sand houses and forts. They spent the greater part of the afternoon in this manner. He was to have taken the children over to the seashore again yesterday, but it rained.

BATHER DROWNED.

Taken With a Cramp in the Cold Water at South Beach.

Samuel Chester Brown of Schenectady was drowned and Frank Williams of Albany, N. Y., a narrow escape in his bathing at South Beach, Staten Island, last evening. Both boarded at the Manhattan Hotel. Brown was taken with a cramp. He called to Williams for assistance, but before the latter could reach him he disappeared. The body was recovered. Brown was married.

TO AFRICA TO SEE ECLIPSE.

Prof. Pickering Will Make the Long Trip for a Thirteen Minute View of the Sun.

CAMBRIDGE, Mass., April 7.—Prof. William H. Pickering of the Harvard astronomical observatory will go to northern Africa next summer for a thirteen minute view of the total eclipse of the sun on Aug. 30. He will go to Philippeville, Algeria, where he will set up one of the small telescopes from the Harvard observatory. Prof. Pickering will devote particular attention to the many indentations on the sun's edge, and will write a full report on all his observations.

The lenses and photographic apparatus of the Harvard plant will be loaned to the Lick Observatory, which will send expeditions to Labrador, Spain and Egypt.

CAPT. TIGHE WANTS TO RETIRE.

Has Asked the Commissioner to Send Him Before the Board of Surgeons.

Police Captain Robert J. Tighe, who was transferred from the Mercer street station to the Borough Hall precinct in Brooklyn a few weeks ago, after being fined thirty days for neglect of duty, is anxious to be retired from the force on a pension. Instead, however, of making a direct application to that effect, he has asked Commissioner McAdoo to be permitted to go before the board of surgeons for examination. He is confident that it will show that he is physically unfitted for the discharge of police work.

AUTO STRUCK LOUIS JAMES.

Actor Ran Into the Roadway to Rescue Boy—His Hand Sprained.

Louis James, the tragedian, was knocked down by an automobile yesterday afternoon in saving a red headed urchin from being run over in Thirty-ninth street just off Broadway. Mr. James was walking through the street with a friend when he saw the machine tearing down on several boys playing marbles. Mr. James rushed to his rescue. He got the boy out of danger, but the automobile knocked him down. He sprained his right hand and was going around with it in a sling last night.

COTTON ROWDIES TO CATCH IT.